

# Board of Public Utilities

*Cheyenne Water and Sewer Department*

**RECEIVED**

**AUG 25 2011**

**ECEJ**

P.O. Box 1469 • Cheyenne, Wyoming 82003 • Phone (307) 637-6460  
2100 Pioneer Avenue Fax (307) 637-7672

August 23, 2011

Stephanie Gieck  
NPDES Unit  
Water Technical Enforcement Program  
U.S. EPA Region 8  
1595 Wynkoop St., 8ENF-W  
Denver CO, 80202

Subject: Compliance Order dated September 9, 2005

Dear Ms. Gieck,

Attached is a summary of industrial user violations identified during the second calendar quarter of 2011. The summary is submitted in accordance with the requirement specified in the referenced Compliance Order. Please notify me if you prefer that the summaries be reported in an alternate format.

Thank you,

Natalie B. Dunn  
Industrial Pretreatment Coordinator

## SUMMARY

The Cheyenne Board of Public Utilities Water Reclamation Division, Industrial Pretreatment Program, was issued an Order for Compliance by the U.S. Environmental Protection Agency, dated September 9, 2005. In accordance with the Order, a summary of all industrial user violations identified during the previous quarter is submitted in reference to the reporting requirement.

During the Second Quarter of 2011, Industrial User Violations identified are as follows:

### Frontier Refinery Violations

OUTFALL 005:

April: 3 Benzene and 1 BTEX

May: 4 Benzene

June: 4 Benzene

Notices of Violation were issued and penalties totaling \$12,000 were assessed.

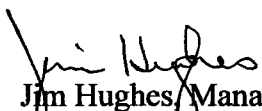
### Walmart Distribution Center Violation

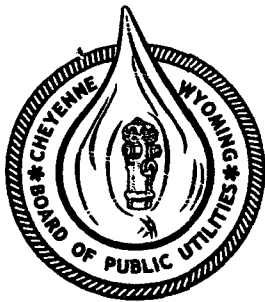
June: Non-response for March violation

A Notice of Violation was issued and a penalty of \$500 was assessed.

If you have any questions, please contact Natalie Dunn, Industrial Pretreatment Coordinator, ([ndunn@cheyennebopu.org](mailto:ndunn@cheyennebopu.org)) or Phil Clark Compliance Programs Supervisor ([pclark@cheyennebopu.org](mailto:pclark@cheyennebopu.org)) at 307-635-3163.

Sincerely,

  
Jim Hughes, Manager  
Water Reclamation Division



# Board of Public Utilities

*Cheyenne Water and Sewer Department*

P.O. Box 1469 • Cheyenne, Wyoming 82003 • Phone (307) 637-6460  
2100 Pioneer Avenue Fax (307) 637-7672

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**JUN 15 2011**

**Office of Enforcement  
Compliance & Environmental Justice**

June 10, 2011

Stephanie Gieck  
NPDES Unit  
Water Technical Enforcement Program  
U.S. EPA Region 8  
1595 Wynkoop St., 8ENF-W  
Denver CO, 80202

Subject: Compliance Order dated September 9, 2005

Dear Ms. Gieck,

Per our conversation on June 8, 2011, attached is a summary of industrial user violations identified since the last summary was submitted to Mr. Aaron Urdiales of the U.S. Environmental Protection Agency on October 18, 2010. The summary is submitted in accordance with the requirement specified in the referenced Compliance Order. Please note that the last summary submitted did not include violations identified at Frontier Refinery. Therefore, this attachment is to amend the summary for the Third Quarter of 2010 and to bring the summary for the Fourth Quarter of 2010 up to date. Due to an oversight and personnel change over the past six months, we regret that these summaries are being submitted past the required date. We apologize for the delay and will submit future summaries according to schedule.

Also included is the summary for the First Quarter of 2011. Please notify me if you prefer that the summaries be reported in an alternate format.

Thank you,

Natalie B. Dunn  
Industrial Pretreatment Coordinator

The Cheyenne Board of Public Utilities Water Reclamation Division, Industrial Pretreatment Program, was issued an Order for Compliance by the U.S. Environmental Protection Agency, dated September 9, 2005. In accordance with the Order, a summary of all industrial user violations identified during the previous quarter is submitted in reference to the reporting requirement.

In addition to the Walmart Distribution Center violations identified in the summary submitted on October 18, 2010 for the Third Quarter of 2010, the following industry violated their permit limits as follows:

Frontier Refinery Violations:

Outfall 2: 5 Benzene, 4 BTEX, 6 TPH

Outfall 3: 1 TPH

Outfall 5: 8 Benzene, 2 BTEX

A Notice of Violation was issued and penalties totaling \$26,000 were assessed.

During the Fourth Quarter of 2010, Industrial User Violations identified are as follows:

Frontier Refinery Violations

Outfall 2: 8 Benzene, 5 BTEX, 1 TPH

Outfall 5: 12 Benzene, 4 BTEX

A Notice of Violation was issued and penalties totaling \$30,000 were assessed.

Walmart Distribution Center Violations

October: Zinc

A Notice of Violation was issued and a penalty of \$1,000 was assessed.

During the First Quarter of 2011, Industrial User Violations identified are as follows:

Frontier Refinery Violations

Outfall 5: 4 Benzene

A Notice of Violation was issued and penalties totaling \$4,000 were assessed.

Walmart Distribution Center Violations

January: Copper

February: Copper and Zinc

March: Zinc

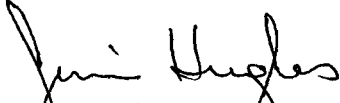
Notices of Violation were issued each month and penalties totaling \$6,000 were assessed.

LT/Flying J

A Notice of Violation was issued due to a zinc exceedance and failure to report a violation within 24 hours.

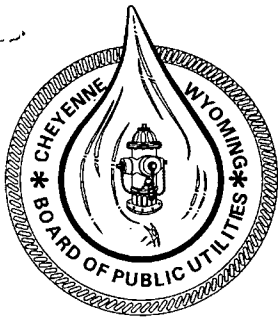
If you have any questions, please contact Natalie Dunn, Industrial Pretreatment Coordinator, ([ndunn@cheyennebopu.org](mailto:ndunn@cheyennebopu.org)) or Phil Clark Compliance Programs Supervisor ([pclark@cheyennebopu.org](mailto:pclark@cheyennebopu.org)) at 307-635-3163.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Hughes". The signature is fluid and cursive, with the first name "Jim" and last name "Hughes" clearly distinguishable.

Jim Hughes, Manager  
Water Reclamation Division

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# Board of Public Utilities

## WATER RECLAMATION DIVISION

P.O. Box 1469, Cheyenne, Wyoming 82003, Phone (307) 635-3163  
8911 Campstool Road, Cheyenne, WY 82007 Facsimile(307)635-6833

April 29, 2010

Aaron Urdiales (83NF-W-NP)  
US EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

**RECEIVED**

**MAY 19 2010**

**Office of Enforcement  
Compliance & Environmental Justice**

Subject: Compliance Order - 9 September 2005

Dear Mr. Urdiales,

In accordance with the Compliance Order, issued by the U.S. Environmental Protection Agency, dated 9 September, 2005, to the Cheyenne Board of Public Utilities, Water Reclamation Division, Industrial Pretreatment Program, the following additional information is submitted in reference to your requirement to submit a summary of all industrial user violations during the previous quarter.

During the First Quarter of 2010, Notices of Violation were issued to:

Frontier Refining – A Notice of Violation was issued for exceeding the Benzene Limit from outfall 005 during the Month of March 2010. No penalty was assessed at this time.

Wal-Mart Distribution Center – A Notices of Violation was issued for the March 2010 for exceeding the Zinc and Copper Permit Limits. A penalties of \$3100.00 was assessed. We are meeting with corporate Environmental Management personnel the week of 17-21 May 2010 to discuss violations, pretreatment equipment and construction schedules.

If you have any questions, please contact Ken Johnson, Pretreatment Coordinator at 307-635-3163 or e-mail [kjohnson@cheyennebopu.org](mailto:kjohnson@cheyennebopu.org).

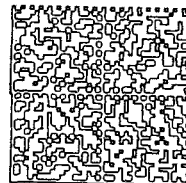
Sincerely,

Jim Hughes, Manager  
Water Reclamation Division

**BOARD OF PUBLIC UTILITIES**

**WATER and SEWER DEPTS.**

2100 Pioneer Ave. - P.O. Box 1469  
CHEYENNE, WYOMING 82003-1469



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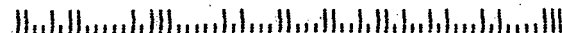
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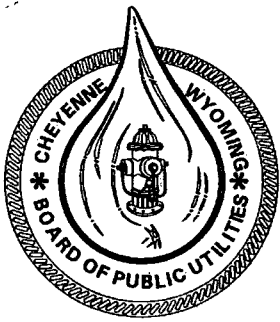
05/17/2010

Mailed From 82001  
**US POSTAGE**

Aaron Urdiales (83NF-W-NP)  
US EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

80202#1129 C062





# Board of Public Utilities

## WATER RECLAMATION DIVISION

P.O. Box 1469, Cheyenne, Wyoming 82003, Phone (307) 635-3163  
8911 Campstool Road, Cheyenne, WY 82007 Facsimile(307)635-6833

February 18, 2010

Aaron Urdiales (83NF-W-NP)  
US EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

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**FEB 22 2010**

Office of Enforcement  
Compliance & Environmental Justice

Subject: Compliance Order - 9 September 2005

Dear Mr. Urdiales,

In accordance with the Compliance Order, issued by the U.S. Environmental Protection Agency, dated 9 September, 2005, to the Cheyenne Board of Public Utilities, Water Reclamation Division, Industrial Pretreatment Program, the following additional information is submitted in reference to your requirement to submit a summary of all industrial user violations during the previous quarter.

During the Fourth Quarter of 2009, Notices of Violation were issued to:

**Frontier Refining** – A Notice of Violation was issued for exceeding the Selenium Limit from outfall 001 during the Month of October 2009. A penalty of \$1000.00 was assessed. A Notice of Violation was issued for exceeding the Selenium Limit on two occasions from outfall 001 during the Month of November 2009. A penalty of \$1500.00 was assessed.

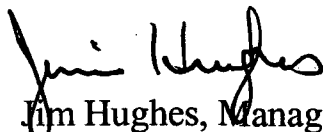
**Wal-Mart Distribution Center** – Notices of Violation were issued for the Months of November and December 2009 for exceeding the Zinc and Copper Permit Limits. Penalties for November were \$2100.00, the penalty for December 2009 was \$3000.00. An additional penalty was assessed for failure to respond to the November 2009 Notice of Violation of \$2300.00, resulting in a total penalty of \$5300.00. Wal-Mart continues to Monitor and has hired a consultant firm to determine the source(s) of the elevated Zinc and perform monthly effluent monitoring from their facility.

**Terracon/Frontier** – A Notice of Violation was issued for the month of December 2009 for exceeding the permit limit for Oil and Grease and Total Petroleum Hydrocarbons. A penalty of \$600.00 was assessed.



If you have any questions, please contact Ken Johnson, Pretreatment Coordinator at 307-635-3163 or e-mail [kjohnson@cheyennebopu.org](mailto:kjohnson@cheyennebopu.org).

Sincerely,

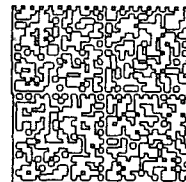
A handwritten signature in black ink, appearing to read "Jim Hughes". The signature is fluid and cursive, with the first name "Jim" and last name "Hughes" clearly distinguishable.

Jim Hughes, Manager  
Water Reclamation Division

**BOARD OF PUBLIC UTILITIES**

**WATER and SEWER DEPTS.**

2100 Pioneer Ave. - P.O. Box 1469  
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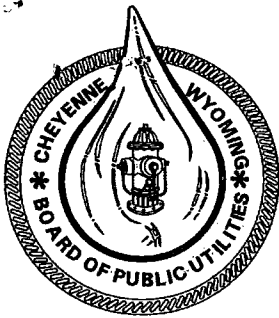
02/17/2010

Mailed From 82001  
**US POSTAGE**

Aaron Urdiales (83NF-W-NP)  
US EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

80202#1129





# Board of Public Utilities

## WATER RECLAMATION DIVISION

P.O. Box 1469, Cheyenne, Wyoming 82003, Phone (307) 635-3163  
8911 Campstool Road, Cheyenne, WY 82007 Facsimile(307)635-6833

November 9, 2009

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**NOV 12 2009**

**Office of Enforcement  
Compliance & Environmental Justice**

Aaron Urdiales (83NF-W-NP)  
US EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

Subject: Compliance Order - 9 September 2005

Dear Mr. Urdiales,

In accordance with the Compliance Order, issued by the U.S. Environmental Protection Agency, dated 9 September, 2005, to the Cheyenne Board of Public Utilities, Water Reclamation Division, Industrial Pretreatment Program, the following additional information is submitted in reference to your requirement to submit a summary of all industrial user violations during the previous quarter.

During the Third Quarter of 2009, Notices or Letters of Violation were issued to:

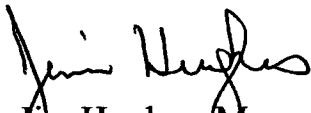
Frontier Refining – A Notice of Violation was issued for exceeding the Benzene and BTEX Permit Limit during the Third Quarter of 2009. Penalty assessed was \$2500.00. Outfall 003 (Domestic) has been plugged along with outfall 005 since Frontier Refining received their self monitoring report of the elevated values.

Wal-Mart Distribution Center – Notices of Violation were issued for the Months of July, Aug and September 2009 for exceeding the Zinc Permit Limit. Penalties of \$750.00, \$850.00 and \$950.00 were assessed. Wal-Mart continues to Monitor and has hired a consultant firm to determine the source(s) of the elevated Zinc and perform monthly effluent monitoring from their facility.

Page 2

If you have any questions, please contact Ken Johnson, Pretreatment Coordinator at 307-635-3163 or e-mail [kjohnson@cheyennebopu.org](mailto:kjohnson@cheyennebopu.org).

Sincerely,

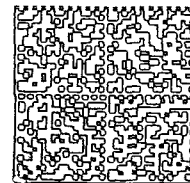
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Jim Hughes, Manager  
Water Reclamation Division

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11/10/2009

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